

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

C.C. as Parent and Legal Guardian of
JANE DOE, a Minor,

CASE NO: 1:23-cv-00255

Plaintiff,

Hon. Paul L. Maloney

v.

MARCELLUS COMMUNITY SCHOOLS,
MARCELLUS COMMUNITY SCHOOLS
BOARD OF EDUCATION, and individuals
NANETTE PAULEY, MELINDA BOHAN,
SARAH BISCHOFF, TAMMY CURTIS,
HENRY ESSEX and ROBERT DIETZEL,
In their individual capacities,

Defendants.

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Marcellus CS BOE, Nanette Pauley,
Melinda Bohan, Sarah Bischoff, Tammy
Curtis, and Henry Essex
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**STIPULATION TO DISMISS MARCELLUS COMMUNITY SCHOOLS, MARCELLUS
COMMUNITY SCHOOLS BOARD OF EDUCATION, NANETTE PAULEY, MELINDA
BOHAN, SARAH BISCHOFF, TAMMY CURTIS AND HENRY ESSEX AS
DEFENDANTS WITHOUT PREJUDICE PENDING PROBATE PROCEEDINGS
REGARDING SETTLEMENT AND PROPOSED ORDER**

IT IS HEREBY STIPULATED by and between the parties hereto, through their respective attorneys, that Defendants Marcellus Community Schools, Marcellus Community Schools Board of Education, Nanette Pauley, Melinda Bohan, Sarah Bischoff, Tammy Curtis and Henry Essex, ("School District Defendants") be dismissed without prejudice and without costs for the reason that a settlement has been reached between said parties and the only delay is with the processing of the probate matter required due to claims asserted on behalf of a minor.

Plaintiff and the School District Defendants executed a written settlement agreement on November 29, 2023. A portion of the proceeds of the settlement are to be place in trust for minor, C.C. There has been a delay in the probate process required to approve the settlement and establish a trust for C.C.

The parties agree that it is a waste of resources for the School District Defendants to continue as defendants in this litigation while the probate proceedings are being completed. The parties request that this Court issue an order dismissing the School District Defendants without prejudice and without costs at this time. The parties anticipate that a stipulation dismissing the School District Defendants with prejudice will be submitted to the Court upon completion of the probate process.

KLUCZYNSKI, GIRTZ & VOGELZANG

Date: March 12, 2024

By: /s/ Mark T. Ostrowski
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Date: March 12, 2024

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Date: March 12, 2024

/s/ Mark A. Gilchrist
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ORDER OF DISMISSAL WITHOUT PREJUDICE

IT IS HEREBY ORDERED:

Defendants, Marcellus Community Schools, Marcellus Community Schools Board of Education, Nanette Pauley, Melinda Bohan, Sarah Bischoff, Tammy Curtis and Henry Essex, ("School District Defendants") only, are hereby dismissed without prejudice and without costs.

This is not a final order.

Date: March 13, 2024

/s/ Paul L. Maloney
Honorable Paul L. Maloney
U.S. District Court Judge